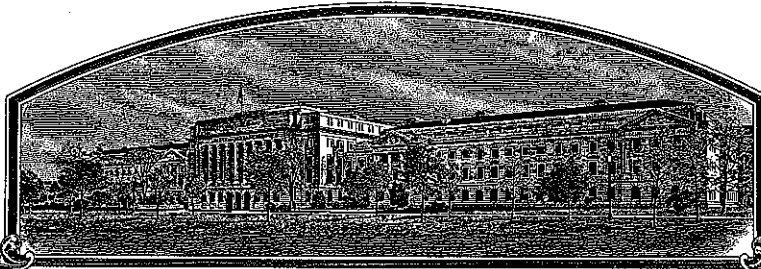


No.

200400209



THE UNITED STATES OF AMERICA

TO ALL TO WHOM THESE PRESENTS SHALL COME:

Pioneer Hi-Bred International, Inc.

Whereas, THERE HAS BEEN PRESENTED TO THE

Secretary of Agriculture

AN APPLICATION REQUESTING A CERTIFICATE OF PROTECTION FOR AN ALLEGED DISTINCT VARIETY OF SEXUALLY REPRODUCED, OR TUBER PROPAGATED PLANT, THE NAME AND DESCRIPTION OF WHICH ARE CONTAINED IN THE APPLICATION AND EXHIBITS, A COPY OF WHICH IS HEREUNTO ANNEXED AND MADE A PART HEREOF, AND THE VARIOUS REQUIREMENTS OF LAW IN SUCH CASES MADE AND PROVIDED HAVE BEEN COMPLIED WITH, AND THE TITLE THERETO IS, FROM THE RECORDS OF THE PLANT VARIETY PROTECTION OFFICE, IN THE APPLICANT(S) INDICATED IN THE SAID COPY, AND WHEREAS, UPON DUE EXAMINATION MADE, THE SAID APPLICANT(S) IS (ARE) ADJUDGED TO BE ENTITLED TO A CERTIFICATE OF PLANT VARIETY PROTECTION UNDER THE LAW.

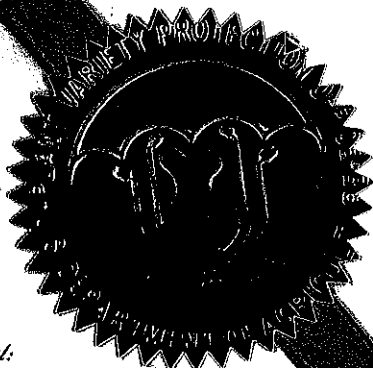
NOW, THEREFORE, THIS CERTIFICATE OF PLANT VARIETY PROTECTION IS TO GRANT UNTO THE SAID APPLICANT(S) AND THE SUCCESSORS, HEIRS OR ASSIGNS OF THE SAID APPLICANT(S) FOR THE TERM OF TWENTY YEARS FROM THE DATE OF THIS GRANT, SUBJECT TO THE PAYMENT OF THE REQUIRED FEES AND PERIODIC REPLENISHMENT OF VIABLE BASIC SEED OF THE VARIETY IN A PUBLIC REPOSITORY AS PROVIDED BY LAW, THE RIGHT TO EXCLUDE OTHERS FROM SELLING THE VARIETY, OR OFFERING IT FOR SALE, OR REPRODUCING IT, OR IMPORTING IT, OR EXPORTING IT, OR CONDITIONING IT FOR PROPAGATION, OR STOCKING IT FOR ANY OF THE FOREGOING PURPOSES, OR USING IT IN PRODUCING A HYBRID OR DIFFERENT VARIETY THEREFROM, TO THE EXTENT PROVIDED BY THE PLANT VARIETY PROTECTION ACT. (84 STAT. 1542, AS AMENDED, 7 U.S.C. 2321 ET SEQ.)

CORN, FIELD

'PH5WA'

In Testimony Whereof, I have hereunto set my hand and caused the seal of the Plant Variety Protection Office to be affixed at the City of Washington, D.C. this third day of November, in the year two thousand and six.

Attest:



[Signature]

Commissioner
Plant Variety Protection Office
Agricultural Marketing Service

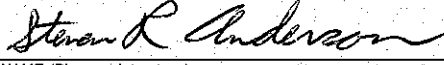
[Signature]
Secretary of Agriculture

**U.S. DEPARTMENT OF AGRICULTURE
AGRICULTURAL MARKETING SERVICE
SCIENCE AND TECHNOLOGY - PLANT VARIETY PROTECTION OFFICE**

APPLICATION FOR PLANT VARIETY PROTECTION CERTIFICATE
(Instructions and information collection burden statement on reverse)

The following statements are made in accordance with the Privacy Act of 1974 (5 U.S.C. 552a) and the Paperwork Reduction Act (PRA) of 1995.

Application is required in order to determine if a plant variety protection certificate is to be issued (7 U.S.C. 2421). Information is held confidential until certificate is issued (7 U.S.C. 2426).

1. NAME OF OWNER Pioneer Hi-Bred International, Inc.		2. TEMPORARY DESIGNATION OR EXPERIMENTAL NAME 		3. VARIETY NAME PH5WA	
4. ADDRESS (Street and No., or R.F.D. No., City, State, and ZIP Code, and Country) 7301 NW 62nd Avenue Johnston, IA 50131-0085		5. TELEPHONE (include area code) 515/270-4051		<div style="border: 1px solid black; padding: 5px;"> FOR OFFICIAL USE ONLY PVPO NUMBER <div style="font-size: 1.5em; font-weight: bold;">200 400 209</div> FILING DATE <div style="font-size: 1.2em;">May 10, 2004</div> </div>	
6. IF THE OWNER NAMED IS NOT A "PERSON", GIVE FORM OF ORGANIZATION (corporation, partnership, association, etc.) Corporation		7. IF INCORPORATED, GIVE STATE OF INCORPORATION IOWA		8. DATE OF INCORPORATION March 5, 1999	
9. NAME AND ADDRESS OF OWNER REPRESENTATIVE(S) TO SERVE IN THIS APPLICATION. (First person listed will receive all papers) Steven R. Anderson Research and Product Development P.O. Box 85 Johnston, IA 50131-0085					
1. TELEPHONE (Include area code) 515/270-4051		12. FAX (Include area code) 515/253-2125		13. E-MAIL steven.anderson@pioneer.com	
4. CROP KIND (Common Name) CORN		16. FAMILY NAME (Botanical) Gramineae		18. DOES THE VARIETY CONTAIN ANY TRANSGENES? (OPTIONAL) <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO IF SO, PLEASE GIVE THE ASSIGNED USDA-APHIS REFERENCE NUMBER FOR THE APPROVED PETITION TO DEREGULATE THE GENETICALLY MODIFIED PLANT FOR COMMERCIALIZATION.	
5. GENUS AND SPECIES NAME OF CROP Zea Mays		17. IS THE VARIETY A FIRST GENERATION HYBRID? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO		20. DOES THE OWNER SPECIFY THAT SEED OF THIS VARIETY BE SOLD AS A CLASS OF CERTIFIED SEED? (See Section 83(a) of the Plant Variety Protection Act) <input type="checkbox"/> YES (If "yes", answer items 21 and 22 below) <input checked="" type="checkbox"/> NO (If "no", go to item 23)	
9. CHECK APPROPRIATE BOX FOR EACH ATTACHMENT SUBMITTED (Follow instructions on reverse) a. <input checked="" type="checkbox"/> Exhibit A. Origin and Breeding History of the Variety b. <input checked="" type="checkbox"/> Exhibit B. Statement of Distinctness c. <input checked="" type="checkbox"/> Exhibit C. Objective Description of Variety d. <input type="checkbox"/> Exhibit D. Additional Description of the Variety (Optional) e. <input checked="" type="checkbox"/> Exhibit E. Statement of the Basis of the Owner's Ownership f. <input checked="" type="checkbox"/> Voucher Sample (2,500 viable untreated seeds or, for tuber propagated varieties, verification that tissue culture will be deposited and maintained in an approved public repository) g. <input checked="" type="checkbox"/> Filing and Examination Fee (\$3,652), made payable to "Treasurer of the United States" (Mail to the Plant Variety Protection Office)				21. DOES THE OWNER SPECIFY THAT SEED OF THIS VARIETY BE LIMITED AS TO NUMBER OF CLASSES? <input type="checkbox"/> YES <input type="checkbox"/> NO IF YES, WHICH CLASSES? <input type="checkbox"/> FOUNDATION <input type="checkbox"/> REGISTERED <input type="checkbox"/> CERTIFIED 22. DOES THE OWNER SPECIFY THAT SEED OF THIS VARIETY BE LIMITED AS TO NUMBER OF GENERATIONS? <input type="checkbox"/> YES <input type="checkbox"/> NO IF YES, SPECIFY THE NUMBER 1,2,3, etc. FOR EACH CLASS. <input type="checkbox"/> FOUNDATION <input type="checkbox"/> REGISTERED <input type="checkbox"/> CERTIFIED (If additional explanation is necessary, please use the space indicated on the reverse.)	
3. HAS THE VARIETY (INCLUDING ANY HARVESTED MATERIAL) OR A HYBRID PRODUCED FROM THIS VARIETY BEEN SOLD, DISPOSED OF, TRANSFERRED, OR USED IN THE U. S. OR OTHER COUNTRIES? <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO IF YES, YOU MUST PROVIDE THE DATE OF FIRST SALE, DISPOSITION, TRANSFER, OR USE FOR EACH COUNTRY AND THE CIRCUMSTANCES. (Please use space indicated on reverse.)				24. IS THE VARIETY OR ANY COMPONENT OF THE VARIETY PROTECTED BY INTELLECTUAL PROPERTY RIGHT (PLANT BREEDER'S RIGHT OR PATENT)? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO IF YES, PLEASE GIVE COUNTRY, DATE OF FILING OR ISSUANCE AND ASSIGNED REFERENCE NUMBER. (Please use space indicated on reverse.)	
5. The owners declare that a viable sample of basic seed of the variety has been furnished with application and will be replenished upon request in accordance with such regulations as may be applicable, or for a tuber propagated variety a tissue culture will be deposited in a public repository and maintained for the duration of the certificate. The undersigned owner(s) is(are) the owner of this sexually reproduced or tuber propagated plant variety, and believe(s) that the variety is new, distinct, uniform, and stable as required in Section 42, and is entitled to protection under the provisions of Section 42 of the Plant Variety Protection Act. Owner(s) is (are) informed that false representation herein can jeopardize protection and result in penalties.					
SIGNATURE OF OWNER 			SIGNATURE OF OWNER 		
NAME (Please print or type) 			NAME (Please print or type) Steven R. Anderson		
CAPACITY OR TITLE 		DATE 		CAPACITY OR TITLE Research Scientist	
 		 		5-7-2004	

GENERAL: To be effectively filed with the Plant Variety Protection Office (PVPO), **ALL** of the following items must be **received** in the PVPO: (1) Completed application form signed by the owner; (2) completed exhibits A, B, C, E; (3) for a seed reproduced variety at least 2,500 viable untreated seeds, for a hybrid variety at least 2,500 untreated seeds of each line necessary to **reproduce** the variety, or for tuber reproduced varieties verification that a viable (*in the sense that it will reproduce an entire plant*) tissue culture will be deposited and maintained in an approved public repository; (4) check drawn on a U.S. bank for \$3,652 (\$432 filing fee and \$3,220 examination fee), payable to "Treasurer of the United States" (See Section 97.6 of the Regulations and Rules of Practice.) Partial applications will be held in the PVPO for not more than 90 days, then returned to the applicant as unfilled. Mail application and other requirements to Plant Variety Protection Office, AMS, USDA, Room 401, NAL Building, 10301 Baltimore Avenue, Beltsville, MD 20705-2351. Retain one copy for your files. All items on the face of the application are self explanatory unless noted below. Corrections on the application form and exhibits must be initialed and dated. **DO NOT** use masking materials to make corrections. If a certificate is allowed, you will be requested to send a check payable to "Treasurer of the United States" in the amount of \$432 for issuance of the certificate. Certificates will be issued to owner, not licensee or agent.

Plant Variety Protection Office

Telephone: (301) 504-5518

FAX: (301) 504-5291

Homepage: <http://www.ams.usda.gov/science/pvpo/pvp.htm>

To avoid conflict with other variety names in use, the applicant must check the appropriate recognized authority and provide evidence that name has been cleared by the appropriate recognized authority before the Certificate of Protection is issued. For example, for agricultural and vegetable crops, contact: Seed Branch, AMS, USDA, 10301 Baltimore Avenue, Suite 401 NAL Building, Beltsville, MD 20705. Telephone: (301) 504-5682 <http://www.ams.usda.gov/lsg/seed.htm>.

ITEM

- 9a. Give:
 - (1) the genealogy, including public and commercial varieties, lines, or clones used, and the breeding method;
 - (2) the details of subsequent stages of selection and multiplication;
 - (3) evidence of uniformity and stability; and
 - (4) the type and frequency of variants during reproduction and multiplication and state how these variants may be identified
- 9b. Give a summary of the variety's distinctness. Clearly state how this application variety may be distinguished from all other varieties in the same crop. If the new variety is most similar to one variety or a group of related varieties:
 - (1) identify these varieties and state all differences objectively;
 - (2) attach statistical data for characters expressed numerically and demonstrate that these are clear differences; and
 - (3) submit, if helpful, seed and plant specimens or photographs (prints) of seed and plant comparisons which clearly indicate distinctness.
- 9c. Exhibit C forms are available from the PVPO Office for most crops; specify crop kind. Fill in Exhibit C (Objective Description of Variety) form as completely as possible to describe your variety.
- 9d. Optional additional characteristics and/or photographs. Describe any additional characteristics that cannot be accurately conveyed in Exhibit C. Use comparative varieties as is necessary to reveal more accurately the characteristics that are difficult to describe, such as plant habit, plant color, disease resistance, etc.
- 9e. Section 52(5) of the Act requires applicants to furnish a statement of the basis of the applicant's ownership. An Exhibit E form is available from the PVPO.
10. If "Yes" is specified (*seed of this variety be sold by variety name only, as a class of certified seed*), the applicant **MAY NOT** reverse this affirmative decision after the variety has been sold and so labeled, the decision published, or the certificate issued. However, if "No" has been specified, the applicant may change the choice. (*See Regulations and Rules of Practice, Section 97.103.*)
11. See Sections 41, 42, and 43 of the Act and Section 97.5 of the regulations for eligibility requirements.
12. See Section 55 of the Act for instructions on claiming the benefit of an earlier filing date.

12. CONTINUED FROM FRONT (Please provide a statement as to the limitation and sequence of generations that may be certified.)

13. CONTINUED FROM FRONT (Please provide the date of first sale, disposition, transfer, or use for each country and the circumstances, if the variety including any harvested material) or a hybrid produced from this variety has been sold, disposed of, transferred, or used in the U.S. or other countries.)

United States; Nov. 1, 2003

14. CONTINUED FROM FRONT (Please give the country, date of filing or issuance, and assigned reference number, if the variety or any component of the variety is protected by intellectual property right (Plant Breeder's Right or Patent).)

NOTES: It is the responsibility of the applicant/owner to keep the PVPO informed of any changes of address or change of ownership or assignment or owner's representative during the life of the application/certificate. The fees for filing a change of address; owner's representative; ownership or assignment; or any modification of owner's name is specified in Section 97.175 of the regulations. (*See Section 101 of the Act, and Sections 97.130, 97.131, 97.175(h) of the Regulations and Rules of Practice.*)

According to the Paperwork Reduction Act of 1995, an agency may not conduct or sponsor, and a person is not required to respond to a collection of information unless it displays a valid OMB control number. The valid OMB control number for this information collection is 0581-0055. The time required to complete this information collection is estimated to average 1.4 hours per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information.

The U.S. Department of Agriculture (USDA) prohibits discrimination in all its programs and activities on the basis of race, color, national origin, gender, religion, age, disability, sexual orientation, marital or family status, political beliefs, parental status, or protected genetic information. (Not all prohibited bases apply to all programs.) Persons with disabilities who require alternative means for communication of program information (Braille, large print, audiotape, etc.) should contact USDA's TARGET Center at 202-720-2600 (voice and TDD).

To file a complaint of discrimination, write USDA, Director, Office of Civil Rights, Room 326-W, Whitten Building, 14th and Independence Avenue, SW, Washington, DC 20250-9410 or call 202-720-5964 (voice and TDD). USDA is an equal opportunity provider and employer.

Exhibit A. Origin and Breeding History

Pedigree: PHHB4/PHFT4)X842132112X

Pioneer Line PH5WA, *Zea mays L.*, a yellow endosperm corn inbred, was developed by Pioneer Hi-Bred International, Inc. from the single cross hybrid PHHB4 (Certificate No. 9400093) X PHFT4 using the pedigree method of plant breeding. Varieties PHHB4 and PHFT4 are proprietary inbred lines of Pioneer Hi-Bred International, Inc. Variety PHFT4 was derived by pedigree selection from the single cross hybrid PHG86 (Certificate No. 8700170) X PHW52 (Certificate No. 8800215). Selfing was practiced from the above hybrid for 11 generations using pedigree selection. During line development, crosses were made to inbred testers for the purpose of estimating the line's combining ability. Yield trials were grown at Macomb, Illinois as well as other Pioneer research locations. After initial testing, additional hybrid combinations have been evaluated and subsequent generations of the line have been grown and hand-pollinated with observations again made for uniformity.

Variety PH5WA has shown uniformity and stability for all traits as described in Exhibit C - "Objective Description of Variety". It has been self-pollinated and ear-rowed 9 generations with careful attention paid to selection criteria and uniformity of plant type to assure genetic homozygosity and phenotypic stability. The line has been increased both by hand and in isolated fields with continued observations for uniformity and stability, and for 9 generations during the final stages of inbred development and seed multiplication. Very high standards for genetic purity have been established morphologically using field observations and electrophoretically using sound lab molecular marker methodology.

No variant traits have been observed or are expected in PH5WA.

The criteria used in the selection of PH5WA were yield, both per se and in hybrid combinations; late season plant health, grain quality, stalk lodging resistance, and kernel size, especially important in production. Other selection criteria include: ability to germinate in adverse conditions; disease and insect resistance.

Exhibit A: Developmental history for PH5WA

Season/Year Pedigree Grown	Inbreeding Level of Pedigree Grown
PHHB4 Summer 1992	F0
PHFT4 Summer 1992	F0
PHHB4/PHFT4 Winter 1992	F1
PHHB4/PHFT4)X Summer 1993	F2
PHHB4/PHFT4)X8 Summer 1994	F3
PHHB4/PHFT4)X84 Winter 1994	F4
PHHB4/PHFT4)X842 Summer 1995	F5
PHHB4/PHFT4)X8421 Winter 1996	F6
PHHB4/PHFT4)X84213 Summer 1997	F7
PHHB4/PHFT4)X842132 Winter 1997	F8
PHHB4/PHFT4)X8421321 Summer 1998	F9
PHHB4/PHFT4)X84213211 Winter 1998	F10
PHHB4/PHFT4)X842132112 Summer 1999	F11
PHHB4/PHFT4)X842132112X	F12 SEED

*PH5WA was selfed and ear-rowed from F3 through F11 generation.

#Uniformity and stability were established from F5 through F11 generation and beyond when seed supplies were increased.

Exhibit B: Novelty Statement

Variety PH5WA mostly resembles Pioneer Hi-Bred International, Inc. proprietary inbred line PH3RC (PVP Certificate No. 200200257). Tables 1A and 1B show two sample t-tests on data collected primarily in Ankeny, Johnston, and Dallas Center, IA. The traits collectively show measurable differences between the two varieties.

Exhibit B: Novelty Statement

Variety PH5WA has a greater kernel thickness (5.2 mm vs 4.7 mm) than variety PH3RC (Table 1A, 1B).

Variety PH5WA has a greater tassel axis floret density (16.7 vs 14.8) than variety PH3RC (Table 1A, 1B).

We have run electrophoretic profiles of isozymes for PH5WA and PH3RC and their parents on the same gel to gather further evidence for distinction. A good reference for the starch gel protocol is: Cardy, BJ, Stuber CW, Goodman MM. 1980. Techniques for Starch Gel Electrophoresis of Enzymes from Maize (*Zea mays* L.). Institute of Statistics Mimeograph Series No. 1317. North Carolina State University, Raleigh, North Carolina.

Jms 9/14/06
Varieties PH5WA and PH3RC differ for the isozyme *ph1* (a public marker) at locus *ph1*. The difference indicates that PH5WA received an allele from 1 parent at this locus and PH3RC received an allele from the other parent. Under the PVP statutes for distinctness Chapter 4, Sec 41 (b)(5) "The distinctness of one variety from another may be based on one or more identifiable morphological, physiological, or other characteristics (including any characteristics evidenced by processing or product characteristics in the case of wheat) with respect to which a difference in genealogy may contribute evidence". The isozyme profiles show a difference in protein expression, which is an identifiable physiological difference between the two varieties.

Please add this statement to the exhibit B Novelty statement: Variety PH5WA differs from PH3RC for the marker isozyme at locus *ph1* (*phosphohexose dehydrogenase1*). Standardized isozyme analysis revealed that PH5WA is homozygous for allele *ph1*-4 while PH3RC is homozygous for allele *ph1*-5 (Table 1).

Table 1. Isozyme profile for PH5WA vs PH3RC for locus *ph1*.

BREEDER CODE	PH1
PH5WA	4
PH3RC	5

Exhibit B: Novelty Statement Tables

Table 1A: Data from Ankeny, Johnston and Dallas Center, IA broken out by year and across environments are supporting evidence for differences between PH5WA and PH3RC. Each year varieties were grown in 3 locations that had different environmental conditions. Environments had different planting dates and were in different fields. A two-sample t-test was used to compare differences between means.

DataField	YEAR	VARIETY-1	VARIETY-2	Count-1	Count-2	Mean-1	Mean-2	Mean_Diff	StdDeviation-1	StdDeviation-2	StdError-1	StdError-2	DF_Pooled	t-Value_Pooled	t	Prob_(2-tail)_Pooled
kernel thickness (mm)	2000	PH5WA	PH3RC	15	15	5.5	4.9	0.7	0.640	0.640	0.165	0.165	28	2.9	2.9	0.008
kernel thickness (mm)	2001	PH5WA	PH3RC	15	15	5.5	4.6	0.9	0.743	0.507	0.192	0.131	28	3.7	3.7	0.001
kernel thickness (mm)	2002	PH5WA	PH3RC	15	15	5.0	4.8	0.2	0.378	0.676	0.098	0.175	28	1.0	1.0	0.326
kernel thickness (mm)	2003	PH5WA	PH3RC	15	15	4.8	4.5	0.3	0.676	0.516	0.175	0.133	28	1.5	1.5	0.140
tassel axis floret density (# floret pairs/4 cm)	2000	PH5WA	PH3RC	15	15	17.2	13.2	4.0	5.467	3.005	1.412	0.776	28	2.5	2.5	0.019
tassel axis floret density (# floret pairs/4 cm)	2001	PH5WA	PH3RC	15	15	17.2	15.2	2.0	2.651	2.274	0.685	0.587	28	2.2	2.2	0.035
tassel axis floret density (# floret pairs/4 cm)	2002	PH5WA	PH3RC	15	15	16.6	16.1	0.5	4.323	2.850	1.116	0.736	28	0.3	0.3	0.730
tassel axis floret density (# floret pairs/4 cm)	2003	PH5WA	PH3RC	15	15	15.9	14.5	1.4	2.669	3.204	0.689	0.827	28	1.3	1.3	0.204

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Exhibit B. Novelty Statement Tables

Table 1B: Summary data from Ankeny, Johnston, and Dallas Center, IA across years and environments are supporting evidence for differences between PH5WA and PH3RC. Environments had different planting dates and were in different fields. A two-sample t-test was used to compare differences between means.

DataField	VARIETY_1	VARIETY_2	Count_1	Count_2	Mean_1	Mean_2	Mean_Diff	StdDeviation_1	StdDeviation_2	StdError_1	StdError_2	t-Value	DF_Pooled	Prob_(2-tail)_Pooled
kernel thickness (mm)	PH5WA	PH3RC	60	60	5.2	4.7	0.5	0.684	0.596	0.088	0.077	118	118	0.000
tassel axis floret density (# floret pairs/4 cm)	PH5WA	PH3RC	60	60	16.7	14.8	2.0	3.897	2.984	0.503	0.385	118	118	0.002

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Please note the data presented in Exhibit B and C, "Objective Description of Variety," were collected primarily at Ankeny and Johnston, IA in 2000, and Dallas Center and Johnston, IA in 2001, 2002, and 2003. The data in Tables 1A and 1B are from two sample t-tests using data collected in Ankeny, Johnston, and Dallas Center, IA. These traits in exhibit B collectively show distinct differences between the two varieties.

United States Department of Agriculture, Agricultural Marketing Service
Science and Technology, Plant Variety Protection Office
National Agricultural Library Building, Room 400
Beltsville, MD 20705-2351

OBJECTIVE DESCRIPTION OF VARIETY
CORN (*Zea mays* L.)

Name of Applicant(s) Pioneer Hi-Bred International, Inc	Variety Seed Source 	Variety Name or Temporary Designation PH5WA
Address (Street & No., or R.F.D. No., City, State, Zip Code and Country) 7301 NW 62nd Avenue, P.O. Box 85, Johnston, Iowa 50131-0085	FOR OFFICIAL USE 	PVPO Number 200400209

Place the appropriate number that describes the varietal characters typical of this inbred variety in the spaces below. Right justify whole numbers by adding leading zeroes if necessary. Completeness should be striven for to establish an adequate variety description. Traits designated by a "*" are considered necessary for an adequate variety description and must be completed.

COLOR CHOICES (Use in conjunction with Munsell color code to describe all color choices; describe #25 and #26 in Comments section):

01. Light Green	06. Pale Yellow	11. Pink	16. Pale Purple	21. Buff	26. Other (Describe)
02. Medium Green	07. Yellow	12. Light Red	17. Purple	22. Tan	
03. Dark Green	08. Yellow-Orange	13. Cherry Red	18. Colorless	23. Brown	
04. Very Dark Green	09. Salmon	14. Red	19. White	24. Bronze	
05. Green-Yellow	10. Pink-Orange	15. Red & White	20. White Capped	25. Variegated (Describe)	

STANDARD INBRED CHOICES [Use the most similar (in background and maturity) of these to make comparisons based on grow-out trial data]:

Yellow Dent Families:		Yellow Dent (Unrelated):	Sweet Corn:
Family	Members	Co109, ND246	C13, Iowa5125, P39, 2132
B14	CM105, A632, B64, B68	Oh7, T232	
B37	B37, B76, H84	W117, W153R	Popcorn:
B73	N192, A679, B73, Nc268	W182BN	SG1533, 4722, HP301, HP7211
C103	Mo17, Va102, Va35, A682		
Oh43	A619, MS71, H99, Va26	White Dent:	Pipecorn:
WF9	W64A, A554, A654, Pa91	Cl66, H105, Ky228	Mo15W, Mo16W, Mo24W

1. TYPE: (describe intermediate types in "Comments" section) 3 (1=Sweet, 2=Dent, 3=Flint, 4=Flour, 5=Pop, 6=Ornamental, 7=Pipecorn) Flint Like	Standard Inbred Name B73 2 Type
--	---------------------------------------

2. REGION WHERE DEVELOPED IN THE U.S.A.: 2 (1=N.West, 2=N.Central, 3=N.East, 4=S.East, 5=S.Central, 6=S.West, 7=Other)	Standard Seed Source PI 550473 Region
---	---

3. MATURITY (In Region Best Adaptability; show Heat Unit formula in "Comments" section):			
DAYS	HEAT UNITS	DAYS	HEAT UNITS
66 1.456.8	From emergence to 50% of plants in silk	65	1.429.3
66 1.441.3	From emergence to 50% of plants in pollen	64	1.408.3
2 51	From 10% to 90% pollen shed	2	52
---	From 50% silk to optimum edible quality	---	---
---	From 50% silk to harvest at 25% moisture	---	---

4. PLANT:	St.Dev.	Sample Size	Mean	St.Dev.	Sample Size
241.6 cm Plant Height (to tassel tip)	13.23	30	236.2	12.91	30
81.6 cm Ear Height (to base of top ear node)	15.18	30	97.3	10.73	30
14.7 cm Length of Top Ear Internode	1.58	30	15.6	1.40	30
0.1 Average Number of Tillers	0.06	6	0.0	0.02	6
1.0 Average Number of Ears per Stalk	0.05	6	1.0	0.07	6
3 Anthocyanin of Brace Roots: 1=Absent, 2=Faint, 3=Moderate, 4=Dark			3		

5. LEAF			St.Dev.	Sample Size	Mean	St.Dev.	Sample Size
9.8	cm Width of Ear Node Leaf	0.81	30	9.1	0.68	30	
77.6	cm Length of Ear Node Leaf	2.71	30	83.1	4.54	30	
6.9	Number of leaves above top ear	0.83	30	6.6	0.82	30	
21.3	Degrees Leaf Angle	7.45	30	18.1	5.52	30	
(Measure from 2nd leaf above ear at anthesis to stalk above leaf)							
4	Leaf Color (Munsell Code)	7.5GY 3/4		4	(Munsell Code)	7.5GY 3/4	
2	Leaf Sheath Pubescence (Rate on scale from 1=none to 9=like peach fuzz)			2			
	Marginal Waves (Rate on scale from 1=none to 9=many)						
	Longitudinal Creases (Rate on scale from 1=none to 9=many)						
6. TASSEL:			St.Dev.	Sample Size	Mean	St.Dev.	Sample Size
3.8	Number of Primary Lateral Branches	1.16	30	7.9	1.75	30	
28.6	Degrees Branch Angle from Central Spike	11.15	30	15.6	7.07	30	
63.0	cm tassel Length	2.88	30	54.7	4.99	30	
(from top leaf collar to tassel tip)							
5	Pollen Shed (Rate on scale from 0=male sterile to 9=heavy shed)			6			
5	Anther Color (Munsell Code)	5Y 8/8		7	(Munsell Code)	5Y 8.5/4	
17	Glume Color (Munsell Code)	10RP 2/6		2	(Munsell Code)	5GY 5/6	
1	Bar Glumes (Glume Bands): 1=Absent, 2=Present			1			
7a. EAR (Unhusked Data):							
11	Silk Color (3 days after emergence) (Munsell Code)	7.5R 7/6		1	Munsell Code	2.5GY 9/4	
2	Fresh Husk Color (25 days after 50% silking) (Munsell Code)	5GY 6/6		2	Munsell Code	5GY 7/8	
19	Dry Husk Color (65 days after 50% silking) (Munsell Code)	10YR 9/2		21	Munsell Code	2.5Y 8.5/4	
2	Position of Ear at Dry Husk Stage: 1=Upright, 2=Horizontal, 3=Pendent			3			
6	Husk Tightness (Rate on scale from 1=very loose to 9=very tight)			6			
2	Husk Extension (at harvest): 1=Short(ears exposed), 2=Medium (<8cm), 3=Long (8-10cm beyond ear tip), 4=Very Long (>10cm)			3			
7b. EAR (Husked Ear Data)			St. Dev.	Sample Size	Mean	St.Dev.	Sample Size
16.6	cm Ear Length	2.41	30	13.2	1.29	30	
43.2	mm Ear Diameter at mid-point	2.82	30	43.9	2.58	30	
132.5	gm Ear Weight	42.70	30	102.7	29.25	30	
15.4	Number of Kernel Rows	1.30	30	18.1	1.66	30	
2	Kernel Rows: 1=Indistinct, 2=Distinct			2			
1	Row Alignment: 1=Straight, 2=Slightly Curved, 3=Spiral			2			
8.0	cm Shank Length	1.66	30	7.4	2.43	30	
2	Ear Taper: 1=Slight cyl., 2=Average slightly con., 3=Extreme conical			1			
8. KERNEL (Dried):			St.Dev.	Sample Size	Mean	St.Dev.	Sample Size
11.3	mm Kernel Length	1.06	30	10.4	1.04	30	
7.8	mm Kernel Width	0.48	30	6.6	0.61	30	
5.2	mm Kernel Thickness	0.82	30	3.9	0.57	30	
52.7	% Round Kernels (Shape Grade)	20.16	4	16.7	16.20	4	
1	Aleurone Color Pattern: 1=Homozygous, 2=Segregating (describe)			1	(describe)		
7	Aleurone Color (Munsell Code)	1.25Y 7/14		7	Munsell Code	2.5Y 8/12	
7	Hard Endosperm Color (Munsell Code)	10YR 6/12		7	Munsell Code	10YR 7/12	
3	Endosperm Type: 1=Sweet(su1), 2=Extra Sweet(sh2), 3=Normal Starch, 4=High Amylose Starch, 5=Waxy Starch, 6=High Protein, 7=High Lysine, 8=Super Sweet (se), 9=High Oil, 10=Other			3	(describe)		
30.2	gm Weight per 100 kernels (unsized sample)	6.01	6	17.7	4.55	6	
9. COB:			St.Dev.	Sample Size	Mean	St.Dev.	Sample Size
24.5	mm Cob Diameter at mid-point	1.87	30	27.8	1.21	30	
10	Cob Color (Munsell Code)	2.5YR 4/8		11	Munsell Code	10R 6/6	

10. DISEASE RESISTANCE (Rate from 1 (most susceptible) to 9 (most resistant); leave blank

if not tested; leave Race or Strain Options blank if polygenic):

A. Leaf Blights, Wilts, and Local Infection Diseases

☐ Anthracnose Leaf Blight (*Colletotrichum graminicola*)5 Common Rust (*Puccinia sorghi*)☐ Common Smut (*Ustilago maydis*)Eyespot (*Kabatiella zeae*)Goss's Wilt (*Clavibacter michiganense* spp. *nebraskensis*)5 Gray Leaf Spot (*Cercospora zeae-maydis*)☐ Helminthosporium Leaf Spot (*Bipolaris zeicola*)

Race _____

5 Northern Leaf Blight (*Exserohilum turcicum*)

Race _____

Southern Leaf Blight (*Bipolaris maydis*)

Race _____

4 Southern Rust (*Puccinia Polysora*)Stewart's Wilt (*Erwinia stewartii*)☐ Other (Specify) _____☐ Anthracnose Leaf Blight4 Common Rust☐ Common Smut

Eyespot

Goss's Wilt

3 Gray Leaf Spot☐ Helminthosporium Leaf Spot Race _____3 Northern Leaf Blight Race _____

Southern Leaf Blight Race _____

2 Southern Rust

Stewart's Wilt

☐ Other (Specify) _____

B. Systemic Diseases

Corn Lethal Necrosis (MCMV and MDMV)

9 Head Smut (*Sphacelotheca reiliana*)☐ Maize Chlorotic Dwarf Virus (MCDV)☐ Maize Chlorotic Mottle Virus (MCMV)3 Maize Dwarf Mosaic Virus (MDMV)

Strain _____

☐ Sorghum Downy Mildew of Corn (*Peronosclerospora sorghi*)☐ Other (Specify) _____

Corn Lethal Necrosis

9 Head Smut☐ Maize Chlorotic Dwarf Virus☐ Maize Chlorotic Mottle Virus4 Maize Dwarf Mosaic Virus Strain _____☐ Sorghum Downy Mildew of Corn☐ Other (Specify) _____

C. Stalk Rots

4 Anthracnose Stalk Rot (*Colletotrichum graminicola*)☐ Diplodia Stalk Rot (*Stenocarpella maydis*)☐ Fusarium Stalk Rot (*Fusarium moniliforme*)☐ Gibberella Stalk Rot (*Gibberella zeae*)☐ Other (Specify) _____3 Anthracnose Stalk Rot☐ Diplodia Stalk Rot☐ Fusarium Stalk Rot☐ Gibberella Stalk Rot☐ Other (Specify) _____

D. Ear and Kernel Rots

☐ Aspergillus Ear and Kernel Rot (*Aspergillus flavus*)5 Diplodia Ear Rot (*Stenocarpella maydis*)3 Fusarium Ear and Kernel Rot (*Fusarium moniliforme*)7 Gibberella Ear Rot (*Gibberella zeae*)☐ Other (Specify) _____☐ Aspergillus Ear & Kernel Rot4 Diplodia Ear Rot3 Fusarium Ear & Kernel Rot6 Gibberella Ear Rot☐ Other (Specify) _____

11. INSECT RESISTANCE (Rate from 1 (most susceptible) to 9 (most resistant); Leave blank if not tested)			St. Dev.	Sample Size	St. Dev.	Sample Size
<input type="checkbox"/> Banks Grass Mite (<i>Oligonychus pratensis</i>)					<input type="checkbox"/> Banks Grass Mite	
Corn Earworm (<i>Helicoverpa zea</i>)					Corn Earworm	
<input type="checkbox"/> Leaf Feeding					<input type="checkbox"/> Leaf Feeding	
Silk Feeding _____ mg larval wt.						
<input type="checkbox"/> Ear Damage					<input type="checkbox"/> Ear Damage	
<input type="checkbox"/> Corn Leaf Aphid (<i>Rhopalosiphum maidis</i>)					<input type="checkbox"/> Corn Leaf Aphid	
<input type="checkbox"/> Corn Sap Beetle (<i>Carpophilus dimidiatus</i>)					<input type="checkbox"/> Corn Sap Beetle	
European Corn Borer (<i>Ostrinia nubilalis</i>)					European Corn Borer	
<u>3</u> 1 st Generation (Typically Whorl Leaf Feeding)					<u>3</u> 1 st Generation	
<input type="checkbox"/> 2 nd Generation (Typically Leaf Sheath-Collar Feeding)					<input type="checkbox"/> 2 nd Generation	
Stalk Tunneling: _____ cm tunneled/plant						
Fall Armyworm (<i>Spodoptera frugiperda</i>)					Fall Armyworm	
<input type="checkbox"/> Leaf-Feeding					<input type="checkbox"/> Leaf-Feeding	
Silk-Feeding _____ mg larval wt.						
<input type="checkbox"/> Maize Weevil (<i>Sitophilus zeamais</i>)					<input type="checkbox"/> Maize Weevil	
<input type="checkbox"/> Northern Rootworm (<i>Diabrotica barberi</i>)					<input type="checkbox"/> Northern Rootworm	
<input type="checkbox"/> Southern Rootworm (<i>Diabrotica undecimpunctata</i>)					<input type="checkbox"/> Southern Rootworm	
Southwestern Corn Borer (<i>Diatraea grandiosella</i>)					Southwestern Corn Borer	
<input type="checkbox"/> Leaf Feeding					<input type="checkbox"/> Leaf Feeding	
Stalk Tunneling: _____ cm tunneled/plant						
<input type="checkbox"/> Two-spotted Spider Mite (<i>Tetranychus urticae</i>)					<input type="checkbox"/> Two-spotted Spider Mite	
<input type="checkbox"/> Western Rootworm (<i>Diabrotica virgifera virgifera</i>)					<input type="checkbox"/> Western Rootworm	
<input type="checkbox"/> Other (Specify) _____					<input type="checkbox"/> Other (Specify) _____	

12. AGRONOMIC TRAITS:		
<u>5</u> Stay Green (at 65 days after anthesis) (Rate on scale from 1=worst to 9=excellent)		<u>2</u> Stay Green
% Dropped Ears (at 65 days after anthesis)		% Dropped ears
<input type="checkbox"/> % Pre-anthesis Brittle Snapping		<input type="checkbox"/> % Pre-anthesis Brittle Snapping
% Pre-anthesis Root Lodging		% Pre-anthesis Root Lodging
<u>10</u> % Post-anthesis Root Lodging (at 65 days after anthesis)		<u>10</u> Post-anthesis Root Lodging
<u>5,977.0</u> Kg/ha Yield of Inbred Per Se (at 12-13% grain moisture)		<u>5,401.0</u> Yield

13. MOLECULAR MARKERS: (0=data unavailable; 1=data available but not supplied; 2=data supplied.)

<u>1</u> Isozymes	<input type="checkbox"/> RFLP's	<input type="checkbox"/> RAPD's	<input type="checkbox"/> Other (Specify) _____
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Stringfield, G.H. Maize Inbred Lines of Ohio A.E.S., Bul. 831. 1959.

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COMMENTS (e. g. state how heat units were calculated, standard inbred seed source, and/or where data was collected. Continue in Exhibit D)

Insect, disease, brittle snapping and root lodging data are collected mainly from environment where variability for the trait can be obtained within the experiment.

Our experimental design was set up in a typical complete block design commonly used in agricultural corn research experiments using three locations/environments. One replication was grown at each location. This is one more environment than is required according to the PVP application instructions. Our approach was to test the variety in more than 1 location (as instructed) while also allowing us the extra location/environment if there should be an unexpected failure at a location due to weather or other problems. There may also be situations where an additional year of testing was conducted resulting in 2 years of trial data. There would likely be more variability due to soil type differences, nutrients, or weather typical of different testing environments than if all three trials were grown in the same field on the same farm with the same planting dates in the same year. If you recommend that all locations/environments are grown in the same field with the same planting dates and same year, please let us know and we will adjust our 2007 procedures.

The experimental design and methods for 2003 were as follows:

Please update the exhibit C addendum with this paragraph:

The experiment procedures involved three environments with different planting dates, planted in 17.42 ft. rows with 2 rows for each variety. Approximately 24-30 plants emerged in each of 2 rows for a total of around 48 to 60 plants being evaluated at each location and 144 to 180 plants across locations. For plant level traits, we sampled 5 representative plants from the 2 rows of the 2 row plot (group) of plants at each location. For plot level traits we evaluated the 2 row plot (group) and gave a representative score or average on the 48-60 plants in the group within an experiment.

Some traits can be especially variable under different environmental factors influenced by weather, soil type, or planting dates. Varying temperatures or day length could impact the meristem growth during various tissue differentiation stages. The meristem differentiation of the ear and other tissues could be impacted as well as the success of pollination during flowering and frequency of kernel abortion during grain fill. Such variation could impact some of the traits that you mention because our experiment design does not grow all of the trials in the same field with the same planting date.

I would be happy to share detailed protocols or discuss with you in more detail the sampling, experiment design, reporting, and the conscientious evaluations that went into the characterization of the data..

Exhibit D. Search Results.

Based on the published PVP for variety '2369' Cargill Inc., there may be isozyme profile differences between PH5WA and '2369'. Variety PH5WA isozyme profile is homozygous at locus *acp1-2* (acid phosphatase1) whereas '2369' is listed as *acp-3* (*acid phosphatase*).

Based on the published PVP's, the aleurone color for PH5WA is yellow (Munsell Code 1.25Y 7/14). That differs from what was reported in PVP publication with '2369' aleurone color being white, 'ICI 193' aleurone color is bronze, and 'LH204' aleurone color is reported as white.

U.S. DEPARTMENT OF AGRICULTURE
AGRICULTURAL MARKETING SERVICE

Application is required in order to determine if a plant variety protection certificate is to be issued (7 U.S.C. 2421). The information is held confidential until the certificate is issued (7 U.S.C. 2426).

EXHIBIT E
STATEMENT OF THE BASIS OF OWNERSHIP

1. NAME OF APPLICANT(S) PIONEER HI-BRED INTERNATIONAL, INC.	2. TEMPORARY DESIGNATION OR EXPERIMENTAL NUMBER	3. VARIETY NAME PH5WA
4. ADDRESS (Street and No., or R.F.D. No., City, State, and ZIP, and Country) 7301 NW 62nd AVENUE P.O.BOX 85 JOHNSTON, IA 50131-0085	5. TELEPHONE (include area code) 515-270-4051	6. FAX (include area code) 515-253-2125
7. PVPO NUMBER 200 400 209		

8. Does the applicant own all rights to the variety? Mark an "X" in the appropriate block. If no, please explain: ☒ YES ☐ NO9. Is the applicant (individual or company) a U.S. national or a U.S. based company? If no, give name of country ☒ YES ☐ NO10. Is the applicant the original owner? ☒ YES ☐ NO If no, please answer one of the following:

a. If the original rights to variety were owned by individual(s), is (are) the original owner(s) a U.S. National(s)?

☐ YES ☐ NO If no, give name of country

b. If the original rights to variety were owned by a company(ies), is (are) the original owner(s) a U.S. based company?

☒ YES ☐ NO If no, give name of country

11. Additional explanation on ownership (Trace ownership from original breeder to current owner. Use the reverse for extra space if needed):

Pioneer Hi-Bred International, Inc. (PHI), Des Moines, Iowa, and/or its wholly owned subsidiary Pioneer Overseas Corporation (POC), Des Moines, Iowa, is the employer of the plant breeders involved in the selection and development of PH5WA. Pioneer Hi-Bred International and/or Pioneer Overseas Corporation has the sole rights and ownership of PH5WA pursuant to written contracts that assign all rights in the variety to PHI and/or POC at the time such variety was created. No rights to this variety are retained by any individuals.

PLEASE NOTE:

Plant variety protection can only be afforded to the owners (not licensees) who meet the following criteria:

1. If the rights to the variety are owned by the original breeder, that person must be a U.S. national, national of a UPOV member country, or national of a country which affords similar protection to nationals of the U.S. for the same genus and species.
2. If the rights to the variety are owned by the company which employed the original breeder(s), the company must be U.S. based, owned by nationals of a UPOV member country, or owned by nationals of a country which affords similar protection to nationals of the U.S. for the same genus and species.
3. If the applicant is an owner who is not the original owner, both the original owner and the applicant must meet one of the above criteria.

The original breeder/owner may be the individual or company who directed the final breeding. See Section 41(a)(2) of the Plant Variety Protection Act for definitions.

According to the Paperwork Reduction Act of 1995, an agency may not conduct or sponsor, and a person is not required to respond to a collection of information unless it displays a valid OMB control number. The valid OMB control number for this information collection is 0581-0055. The time required to complete this information collection is estimated to average 0.1 hour per response, including the time for reviewing the instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information.

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